

Hartsell, Hank

From: Hartsell, Hank
Sent: Friday, April 21, 2017 3:51 PM
To: Downs, Brian
Subject: FW: SB697
Attachments: Section Statute Amending Cost of Rule Drafting.xlsx; Rules Review for SB697.xlsx

Brian – please see James’ note below.

Thanks

Hank

From: Joslin, James
Sent: Friday, April 21, 2017 1:38 PM
To: Hartsell, Hank
Subject: FW: SB697

Hank,

Peggy Coe reached out to me and asked if the OSDH would assist in a fiscal impact. This bill would require, according to the SOS understanding, each section of rule in all Chapters to be amended to identify an authorizing statute.

We have 79 active chapters. In the first 21 Chapters there are 883 sections. If we allocate 80 hours of program time to drafting per chapter, assuming there is not a lot of public comment proposing other amendments to the sections, and other historical promulgation time, my quick calculation is approximately \$375,000 for all of our chapters. See the attached.

The other concern is that this will open every section for public comment. Please let me know if SL would like for me to proceed. I can draft a more detailed review and response.

Peggy would like something by next Wednesday.

From: Peggy Coe [<mailto:Peggy.Coe@sos.ok.gov>]
Sent: Friday, April 21, 2017 10:00 AM
To: Joslin, James
Cc: Chris Coffman
Subject: RE: SB697

Good question. Here’s what we’re basing this on at this point . . .

- Our rules quantify a “rule” as a section or appendix.
- Rep. Faught has made it clear in his explanations that identifying the authority for a Chapter in the Code, as we do currently in the Code (and as agency’s do in NRI’s, rule reports, and PER’s for proposed rules), is not enough. The intent of the bill is to require that the authority be “embedded” in the text of each rule.

Peggy Coe

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From: Joslin, James [<mailto:James@health.ok.gov>]
Sent: Thursday, April 20, 2017 5:51 PM
To: Peggy Coe
Subject: SB697

Hi Peggy,

I reviewed the language again. How is the SOS getting to the interpretation that this will apply to each section?

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